

Septage Handling and Disposal

Part 117 Amendments Promote Positive Improvement

On October 12, 2004, amendments to Part 117, Septage Waste Servicers, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 117), were signed into law. The Part 117 statute regulates the septage waste industry and disposal of septage waste.

The amendments contained a number of major changes to the law including an annual fee increase so the Department of Environmental Quality (DEQ) will have the necessary resources needed to safeguard the public's health and improve the environment and the business practices of the industry.

Traditionally, land application was the primary way to dispose of septage waste. When land applied in accordance with state and federal law, it safeguards people from being exposed to potentially harmful disease organisms and provides nutrients essential for the growth of agricultural crops. On average, 194 million gallons of septage is pumped annually with half, or 97 million gallons, land applied. While more septage waste firms are meeting the land application requirements, there is still much room for improvement.

To help offset problems associated with poor septage waste land application practices and realizing that available acreage to land apply is shrinking annually, the amendments to Part 117 also recognized the importance of promoting the construction and operation of enhanced treatment facilities for septage wastes. Where treatment capacity is available, this allows for the disposal of septage waste at both private and public wastewater treatment plants, commonly referred to as septage waste receiving facilities (SWRF).

In order to cover the cost of treating the septage waste, the SWRF charges a fee to the septage hauler. These costs are established by the receiving facility and presently vary throughout the state. Treatment charges to septage haulers are passed on to the homeowner by including it in the fee for pumping of the septic tank. A list of the DEQ authorized SWRF operating plans, which indicate their cost for treatment, is posted on the Septage Waste Program website at www.michigan.gov/deqseptage.

Receiving facilities provide for more complete treatment of septage waste. Biosolids that are produced must meet stricter sampling and analysis requirements prior to final disposal. By law, septage waste firms operating in Michigan are required to dispose at a SWRF if they pump septage waste from within that facility's service area. The service areas are typically 15 radial miles, although they may vary in size and shape based on the plants ability to treat waste and local ordinance requirements. In 2010, Part 117 allows the service area to expand up to 25 radial miles from the SWRF.

The amendments to Part 117 also placed emphasis on regulating septage haulers to assure that where septage is land applied, it is done properly, which historically was not always the case. This has also resulted in investment in time, money, and effort by septage waste haulers in order to get the job done right and has also resulted in increases in fees charged to homeowners. Septage waste haulers are now required by statute to better manage their land application sites to provide for effective public health and environmental protection. The historical practice of applying to frozen ground has been eliminated, septage is now required to be screened prior to land application, and additional sampling and reporting is also required. A number of septage waste haulers who land apply have also made substantial investments in septage waste storage facilities allowing them to effectively manage their practice of land application.

If you have any questions regarding this matter, you may contact Matthew Campbell at 517-335-4178 or Campbellm4@michigan.gov.